

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

CRIMINAL No. 04-10384-PBS

UNITED STATES

v.

DANIEL KAMEN

**DEFENDANT’S SECOND SUPPLEMENTAL
REQUEST FOR JURY INSTRUCTIONS**

Daniel Kamen, defendant in the above-captioned criminal case, hereby moves this Honorable Court, pursuant to Fed. R. Crim. P. 30, to include the following instructions in its charge to the jury. The defendant believes that the Court’s proposed instruction of the elements of the offense (page 24) slightly misstates what must be proven. The statute requires proof that “the producing of such visual depiction involves the use of a minor engaging in sexually explicit conduct.” 18 U.S.C. § 2252(a)(2)(A). The producing part of the element is not addressed in the Court’s proposed instructions.

Respectfully submitted,
DANIEL KAMEN
By his attorneys,

/s/ Charles W. Rankin
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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on November 1, 2006.

/s/ Charles W. Rankin
Charles W. Rankin